



WEB COPY

CRL MP(MD) NO.19492 of 2025  
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10-12-2025

CORAM

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

**CRL MP(MD) NO.19492 of 2025**

**IN**

**CRL RC(MD) NO. 1555 OF 2025**

Davidraj

Petitioner(s)

Vs

Chella

Respondent(s)

**For Petitioner(s):**

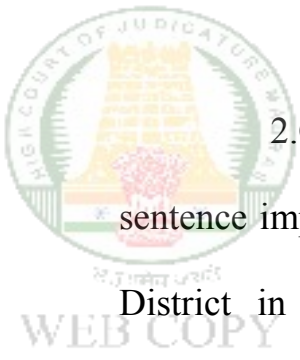
M/s.S.Mahalakshmi

**Prayer for Crl.M.P(MD)No.19492/2025:**

To Suspend the sentence passed in S.T.C.No.4062 of 2010 dated 28.08.2015 on the file of Learned Judicial Magistrate Court, Sivakasi, Virudhunagar District as confirmed in Crl.A.No.86 of 2015 dated 26.11.2025

**ORDER**

Heard M/s.Mahalakshmi, learned Counsel for the petitioner.



2.Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate Court, Sivakasi, Virudhunagar District in S.T.C.No.4062 of 2010 dated 28.08.2015, which was confirmed by Additional District and Sessions Judge at Srivilliputhur at Virudhunagar District in Crl.A.No.86 of 2015, dated 26.11.2025.

3.Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate Court, Sivakasi, Virudhunagar District for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.4062 of 2010 dated 28.08.2015 and sentenced him to undergo one year Simple Imprisonment and to pay compensation of Rs.10,00,000/- to respondent. Aggrieved, petitioner filed criminal appeal in Crl.A.No.86 of 2015 before Additional District and Sessions Judge Srivilliputhur, Virudhunagar District and the lower Appellate Court, by the judgment dated 26.11.2025 dismissed the appeal and confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.(MD)No.1555 of 2025 before this Court along with the instant miscellaneous petitions seeking suspension of sentence and bail.

4.Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and that to show his bonafides, petitioner is willing to deposit 50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension of sentence to the petitioner, and bail.



5. Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case and that it is likely to take a while before the revision is finally heard<sup>1</sup>, this Court is inclined to grant suspension of sentence on the following conditions, till the disposal of the above Criminal Revision:

i) Petitioner is directed to deposit 50% of cheque amount to the credit of S.T.C.No.4062 of 2010 dated 28.08.2015 on the file of Judicial Magistrate Court, Sivakasi, Virudhunagar District, within a period of four weeks from the date of receipt of a copy of this order, failing which the sentence suspended shall stand automatically vacated and respondent is at liberty to execute the sentence imposed by the trial Court against the petitioner in the manner known to law;

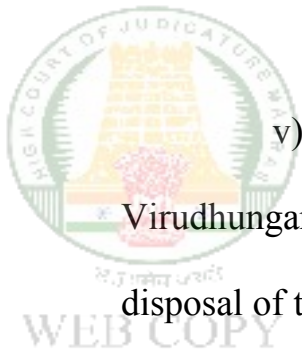
(ii) Any amount already paid shall be deducted while reckoning 50% of cheque amount directed in clause (i);

(iii) On such deposit, petitioner is directed to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of Judicial Magistrate Court, Sivakasi, Virudhunagar District;

iv) Petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

---

<sup>1</sup> Atul Alias Ashutosh vs State of Madhya Pradesh, (2024) 3 SCC 663



v) Petitioner shall appear and sign before Judicial Magistrate Court, SIVAKASI, Virudhungan District, on the first working day of every month at 10.30 a.m., until the disposal of the revision;

vi) In case, if petitioner is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

6. Accordingly, this Criminal Miscellaneous Petition is **ordered**.

**10-12-2025**  
1/2

gvn

**Note: Issue order copy on 18.12.2025**



To

1.The Judicial Magistrate Court, Sivakasi,  
Virudhunagar District

2.The Additional District and Sessions Judge,  
Fast Track Court,  
Kumbakonam, Thanjavur District.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



**MOHAMMED SHAFFIQ, J**

gvn

ORDER  
IN  
**CRL MP(MD). No.19492 of 2025**  
**in**  
**CRL RC(MD)No.1555 of 2025**

Date : 10/12/2025

1/2